

APPROVED and SO ORDERED.
ENTER: 9/03/13

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2327
Honorable Joseph R. Goodwin

Mary Davis

Plaintiff(s),

v.

CASE NO. 2:13-cv-15096

Ethicon, Inc., et al

Defendant(s).

MOTION TO TRANSFER MDL

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2327, In re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation, to:

MDL 2325 American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation.

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2327 against Ethicon, Inc., and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included Ethicon, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2325 :

American Medical Systems, Inc.
C/O Corporation Trust Company
1209 N. Orange Street
Wilmington, Delaware, 19801

Because Ethicon, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2327 to 2325; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2327 and re-associate it with MDL 2325.

s/ David Kuttles

W. Mark Lanier
New York Bar No. 4327384
David Kuttles
New York Bar No. 4034393
Dana Taschner
California Bar No. 135494

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

s/ David Kuttles

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